

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOHNNY R. WOODRUFF,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
DOUGLAS COUNTY	)	
CORRECTIONAL CENTER, et al.,	)	
	)	
Defendants.	)	

8:13CV285

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. On September 12, 2013, Plaintiff filed his Complaint in this matter along with a Motion for Leave to Proceed in Forma Pauperis (“IFP”). (Filing Nos. [1](#) and [2](#).) On October 2, 2013, the court granted Plaintiff’s IFP Motion and assessed an initial partial filing fee pursuant to [28 U.S.C. § 1915\(b\)\(1\)](#). (Filing No. [7](#).) In doing so, the court warned Plaintiff that his case would be subject to dismissal if he failed to pay the initial partial filing fee by October 31, 2013. (*Id.*) On October 11, 2013, the court’s October 2, 2013, Memorandum and Order was returned as undeliverable. (*See* Filing No. [8](#).) The October 2, 2013, Memorandum and Order was not remailed because Plaintiff did not provide a forwarding address. (*Id.*)

Plaintiff has not updated his address and his whereabouts are unknown. Plaintiff has an obligation to keep the court informed of his current address at all times. *See* [NEGenR 1.3\(e\) and \(g\)](#) (requiring pro se parties to adhere to local rules and inform the court of address changes within 30 days). Furthermore, the court’s October 31, 2013, deadline has passed and Plaintiff has not paid the initial partial filing fee in this matter. (*See* Docket Sheet.) Accordingly, the court will dismiss Plaintiff’s case for failing to comply with the court’s orders and local rules. *See* [Fed. R. Civ. Pro. 41\(b\)](#); *see also* [Conley v. Holden](#), No. 03-3908, 2004 WL 2202452, at \*1

(8th Cir. Sept. 21, 2004) (affirming district court's dismissal of inmate's case for failing to pay the assessed initial partial filing fee).

IT IS THEREFORE ORDERED that:

1. Plaintiff's Complaint (filing no. 1) is dismissed without prejudice because Plaintiff failed to comply with this court's orders and local rules.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 13<sup>th</sup> day of November, 2013.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge

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